

1 UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF WASHINGTON

3 FREDRICK and ANNALESA THOMAS; and
4 JO-HANNA READ, as Guardian ad Litem of
E.T., a minor,

5 Plaintiffs,

6 v.

7 JASON CANNON; BRIAN MARKERT;
8 RYAN MICENKO; MICHAEL WILEY;
9 MICHAEL ZARO; CITY OF FIFE; CITY OF
10 LAKEWOOD; and PIERCE COUNTY
METRO SWAT TEAM,

11 Defendants.

12
13 FREDRICK THOMAS and ANNALESA
14 THOMAS, as Co-Administrators of the Estate
of Leonard Thomas, and its statutory
beneficiaries,

15 Plaintiffs,

16 v.

17
18 BRIAN MARKERT; MICHAEL WILEY;
19 NATHAN VANCE; MICHAEL ZARO;
20 SCOTT GREEN; JEFF RACKLEY; CITY OF
FIFE; CITY OF LAKEWOOD; PIERCE
21 COUNTY METRO SWAT TEAM; and JOHN
DOES 1 through 10,

22 Defendants.
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Nos. 3:15-05346 BJR
3:16-cv-05392
CONSOLIDATED CASES

ORDER AMENDING
JUDGMENT

1 This matter having come before this Court upon Plaintiffs' Motion to Amend Judgment,
2 the Court having reviewed the records and files herein, including the jury's verdict (Dkt. 237),
3 the Court's original judgment (Dkt. 241), the plaintiff's motion to amend the judgment, and any
4 response by the defendants, and being fully advised; now therefore it is hereby

5 ORDERED that

6 Based on the Jury's responses on the verdict form (Dkt. No. 237), judgment is entered as
7 follows:

8 (1) in favor of plaintiff E.T. in the amount of \$500,000 against defendants Michael Zaro,
9 Michael Wiley, Brian Markert, and the City of Lakewood, jointly and severally;

10 (2) in favor of plaintiff E.T. in the amount of \$2,750,000 against defendants Michael Zaro
11 and the City of Lakewood, jointly and severally;

12 (3) in favor of plaintiff E.T. in the amount of \$125,000 against defendants Michael Zaro,
13 Michael Wiley, and the City of Lakewood, jointly and severally;

14 (4) in favor of plaintiff E.T. in the amount of \$125,000 against defendant the City of
15 Lakewood;

16 (5) in favor of plaintiff E.T. in the amount of \$500,000 against defendants the City of
17 Lakewood and the City of Fife, jointly and severally;

18 (6) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$1,750,000
19 against defendants Michael Zaro, Michael Wiley, Brian Markert, and the City of Lakewood,
20 jointly and severally;

21 (7) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$125,000 against
22 defendants Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;

23 (8) in favor of plaintiff the Estate of Leonard Thomas in the amount of \$10,000 against
24 defendant Michael Wiley;

25 (9) in favor of plaintiff Annalesa Thomas in the amount of \$750,000 against defendants
26 Michael Zaro and the City of Lakewood, jointly and severally;

(10) in favor of plaintiff Annalesa Thomas in the amount of \$500,000 against defendants Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;

(11) in favor of plaintiff Annalesa Thomas in the amount of \$125,000 against defendant the City of Lakewood;

(12) in favor of plaintiff Fred Thomas in the amount of \$750,000 against defendants Michael Zaro and the City of Lakewood, jointly and severally;

(13) in favor of plaintiff Fred Thomas in the amount of \$125,000 against defendants Michael Zaro, Michael Wiley, and the City of Lakewood, jointly and severally;


(14) in favor of plaintiff Fred Thomas in the amount of \$500,000 against the City of Lakewood;

(15) in favor of defendant Nathan Vance; and

(16) in favor of defendant Ryan Micenko.

In addition, the following punitive damages are assessed in favor of all plaintiffs, jointly, against: (1) Defendant Michael Zaro in the amount of \$3,000,000; (2) Defendant Michael Wiley in the amount of \$1,500,000; and (3) Defendant Brian Markert in the amount of \$2,000,000.

DATED this 12th day of January, 2017.


Honorable Barbara J. Rothstein
United States District Court Judge

Presented by:

MacDONALD HOAGUE & BAYLESS

By /s/ Tiffany Cartwright
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David J. Whedbee, WSBA #35977
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